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REMARKS

Claims 1-6 and 8-16 were pending in the application prior to this response. Claims 1-6 and 8-16 were rejected. No claims have been amended. Reconsideration of the rejections of all pending claims is requested.

I. **Rejection of Claims 1-6 and 8-16 Under 35 U.S.C. §103(a)**

Claims 1-16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Testa (U.S. 6,745,186) in view of Patton (6,408,301).

CLAIM 1

Claim 1 is independent and, as amended herein, is directed toward:

A method of organizing image files, comprising:  
determining at least one first sorting criteria and at least one second sorting criteria associated with said at least one first sorting criteria;  
determining a data path, said data path indicating the location of at least two image files;  
sorting a plurality of image files, located by said data path, into sets of image files based on said at least one first sorting criteria and said at least one second sorting criteria;  
creating at least one directory for at least one set of said image files; and  
moving at least one set of image files into the corresponding directory.

According to the office action, Patton teaches that images or pictures are stored in a master directory and that directories are created and image files moved into the directories. The office action cites Fig. 12, column 6, lines 42-45, and column 4, lines 35-45 of Patton in support of the rejection.

The applicant respectfully disagrees with the office action. The cited sections of Patton simply refer to adding meta data to an image file, which does not "create at least one directory" or move "at least one set of images files into the corresponding directory" as claimed in claim 1. Rather, adding meta data to an image file simply adds information to the file and does not create a directory or cause the file to be moved to a directory.

Based on the foregoing, the cited combination does not teach all the elements of claim 1 and cannot render claim 1 obvious. Therefore, the applicants request reconsideration of the rejection.

#### CLAIM 2-6 AND 8-10

Claims 2-6 and 8-10 are ultimately dependent on claim 1 and are deemed allowable by way of their dependence and for other reasons. Therefore, the applicant requests reconsideration of the rejections.

#### CLAIM 11

Claim 11 is independent and is directed toward:

An apparatus for organizing images represented by image files, said apparatus comprising:

a computer comprising a computer-readable medium, said computer-readable medium comprising instructions for:

receiving a location;

sorting said at least two image files based on a at least one first sorting criteria and at least one second sorting criteria into sets of image files; and

creating a folder for each of said set of image files and moving each set of image files into the corresponding folder.

Claim 11 was rejected on many of the same grounds as claim 1. Therefore, the applicant incorporates the rebuttals to the rejection of claim 1 into this rebuttal. As stated

above, the office action states that Patton teaches that images or pictures are stored in a master directory and that directories are created and image files moved into the directories. However, the cited sections of Patton simply refer to adding meta data to image files, which does not "create at least one directory" or move "at least one set of images files into the corresponding directory" as claimed in claim 11.

Based on the foregoing, the cited combination does not teach all the elements of claim 11 and cannot render claim 11 obvious. Therefore, the applicants request reconsideration of the rejection.

**CLAIMS 12-16**

Claims 12-16 are ultimately dependent on claim 11 and are deemed allowable by way of their dependence and for other reasons. Therefore, the applicant request reconsideration of the rejections.

In view of the above, all of the pending claims are now believed to be in condition for allowance and a notice to that effect is earnestly solicited.

Respectfully submitted,

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